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generally of the public defender idea. It means greater respect for the law and increased confidence in the criminal courts. The democracy of justice is essential to the march of human progress. The public defender is a national necessity.—Mayer C. Goldman, member of the New York City Bar, author of "The Public Defender."

The Public Defender: A Constructive Social Experiment.—Social justice demands legal justice, and be it noted that social justice in the twentieth century is pushing towards its end on a more intelligent and scientific basis than formerly. It therefore seeks remedies based more on scientific inquiry and thorough experimentation and less on theory. These requirements apply with equal propriety to all effort to put the machinery of legal justice in harmony with economic justice. The provision of proper counsel for the defense in criminal cases is one of the twentieth century demands of both social and legal justice, the answer to which needs peculiarly to be settled by inquiry and experiment rather than by theory. That some better provision must be made than exists at present is generally testified by judges, district attorneys and others who observe our criminal courts in various relations, but as to the form of provision there is much variety of opinion. In Los Angeles, for instance, we have the public defender named by the county board of supervisors, and in Connecticut he is named by the judges of the Superior Court. In New York he is named by a committee of citizens. In the first two instances the office is a public one; in the last it is a private office under the direction of a citizen's committee. There is evidently no agreement yet as to the proper source of appointment and the ultimate choice between these various methods is yet to be determined.

In New York the appointment of a public defender was carefully considered by committees of the bar association and the county lawyers' association respectively. The work of the public defender was approved as desirable, but it was the almost unanimous judgment that it could best be done by private counsel employed by a citizens' committee. The Voluntary Defenders' Committee was therefore formed, including men and women who had touched the problem of the public defender in various intimate relations and it was decided to undertake the work for three years as an experiment, giving special attention to the lessons derived therefrom in relation to the continuance of the work and its future character. This attitude of open-minded inquiry has kept the movement from many mistakes. Such, for instance, would have been the passage of a bill before the New York state legislature urged by well-meaning but inexperienced advocates of the public defender. The bill created the office of public defender with a salary equal to that of the district attorney and a staff of assistants nearly, if not quite, equalling the staff of the district attorney. The three years' experience of public defender in New York has made it clear that no such office with numerous assistants is needed. During the past three years the public defender of New York has had but one assistant, and yet he has been able to handle approximately half of all the assigned felony cases, that is, half of the most serious cases which would have been assigned to the public defender if such an official position had been created. The public defender in Los Angeles County has but four assistants on the criminal side, while the staff

of the district attorney is more than double that of the public defender. Yet the former is able comfortably to handle all his cases though he himself also supervises the civil side of his work while the district attorney gives his whole time to criminal cases.

The public defender in Los Angeles stated to the writer that he himself believed it to be undesirable that he should receive a salary equal to that of the district attorney. The public defender in New York receives a salary half as great as that of the district attorney and the same as that of a first assistant district attorney. This amount was fixed because it was believed the public defender should have a salary equal to that of the men whom he was meeting daily in court, and because it seemed this amount was needed to enable a man of proper ability to undertake the work.

Further, acting on experience rather than theory and after valuable conference with lawyers of the bar association and the county lawyers' association, a step forward has been taken for the next three years in uniting the Voluntary Defenders' Committee with the Legal Aid Society. What will be the ultimate character and form of the work will be decided on the same sound basis. The work may ultimately become a feature of the state or city government, or it may remain a philanthropic enterprise, but we trust the decision will be determined by wise consideration of the needs and actual experience, not by theoretical pre-judgment. The present writer has no prejudice against an official public defender, but he has had extensive experience in the good results obtained by using private philanthropy to try out the character of work to be done where the need of the service for the public was believed necessary. It may be found that only public service will meet the need. It may be found that existing machinery of government slightly adjusted will suffice. It may be found that all, and more than the theorists claimed, is needed, but the experiment undertaken with the flexibility of private action settles the matter beyond a reasonable doubt, and the public thus duly informed and rightly guided can usually be trusted to "do the right thing."—James Bronson Reynolds, Chairman of the Executive Committee of the Voluntary Defender's Committee, New York City.

New Swedish Legislation Concerning Illegitimate Children.—Provisions in the Swedish law of 1734 concerning children born out of wedlock, or, as they are called, illegitimate children, are very brief. Such children do not have the right of inheritance except after their legitimate children, but should at least have the minimum of sustenance from father and mother until they could shift for themselves. On the other hand, concerning the will of such children, it is the same as other children. The care and guardianship of illegitimate children rests with the mother, but she could in a legitimate way claim support from the father. Another class of children that were born out of wedlock were looked upon as legitimate children, and as a result of this they received the inheritance from their parents as legitimate children. This was the case if the parents were engaged or in case of rape. If the parents, after the birth of the child became engaged, or were married, the child received the same rights as that of a legitimate child.

The child's right, when inheritance from the mother was in question, was previously improved. In 1866 a law was passed concerning illegitimate chil-